

**CALENDAR ITEM
C09**

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06/18/02
WP 2859.1
M. Hays

GENERAL LEASE-RECREATIONAL USE

APPLICANT:

Cedar Point Homeowners Association
1200 West Lake Boulevard
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

0.709 acres, more or less, of sovereign lands in Lake Tahoe, near Sunnyside, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing multi-use pier and catwalk, 18 mooring buoys and two marker buoys.

LEASE TERM:

Ten years, beginning August 1, 2002.

CONSIDERATION:

\$50 annually for two marker buoys. No monetary consideration pursuant to Public Resources Code 6503.5 for the multi-use pier and catwalk and the 18 mooring buoys.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance with coverage of not less than \$1,000,000.

Other:

This lease is conditioned on the Applicant obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

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OTHER PERTINENT INFORMATION:

1. Applicant owns the upland parcel adjoining the lease premises.
2. On August 1, 1993, the Commission authorized a General Lease-Recreational Use to Cedar Point Homeowners Association. The lease expired on July 31, 1998, and has been in holdover status. The applicant is now applying for a new lease. All of the members/lots are owned by natural persons and qualify for "rent-free" status pursuant to Section 6503.5 of the Public Resource Code. The two marker buoys do not qualify for "rent-free" status.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO CEDAR POINT HOMEOWNERS ASSOCIATION OF A GENERAL LEASE-RECREATIONAL USE, BEGINNING AUGUST 1, 2002, FOR A TERM OF TEN YEARS, FOR THE USE AND MAINTENANCE OF AN EXISTING MULTI-USE PIER AND CATWALK; 18 MOORING BUOYS AND TWO MARKER BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION: NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE 6503.5 FOR THE MULTI-USE PIER, CATWALK AND 18 MOORING BUOYS; OF \$50 ANNUALLY FOR THE TWO MARKER BUOYS; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$1,000,000.